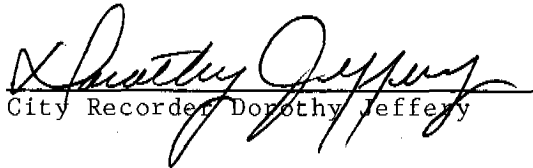


MINUTES OF A REGULAR CITY COUNCIL MEETING HELD NOVEMBER 22, 1982  
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journ. The motion carried unanimously and the Mayor adjourned the meeting at 8:20 p.m. until December 6, 1982

  
City Recorder Dorothy Jeffery

  
Mayor Grant S Nielson

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD DECEMBER 6, 1982

PRESENT:

Grant S Nielson  
Don Bird  
Max Bennett  
Don Dafoe  
Ruth Hansen  
Willis Morrison

Mayor  
Council Member  
Council Member  
Council Member  
Council Member  
Council Member

OTHERS PRESENT:

Vance Bishop  
Warren Peterson  
Dorothy Jeffery  
John Quick  
Neil Forster  
Ray Valdez  
Pat Davies  
Jim Fletcher  
Jim Robson  
Don Morris  
Cherie Morris  
Jim Pendray  
Bob Pendray  
Keith Griffiths  
Keith Taylor  
Dean Edwards  
Bonnie Owens  
Kirk Overson  
Peggy Overson  
Terry Markowski  
Mitch Myers  
Steve Young

City Administrator  
City Attorney  
City Recorder  
City Engineer  
Public Works Superintendent  
Building Inspector  
City Clerk  
KNAK Radio Station  
Curley's Lounge  
United Realty  
United Realty  
Pendray Development  
Pendray Development  
First Security Bank  
Delta Investments  
First Security Bank  
The Greenhouse  
Mom's Crafts  
Mom's Crafts  
Larry Moore  
Ray Quinny  
Planning Consultant

Mayor Nielson called the meeting to order at 7:00 p.m. and stated that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided to the Millard County Chronicle, the Millard County Gazette and the local radio

station KNAK, and to each member of the governing body by personal delivery of copies of the Notice and Agenda two (2) days prior to the meeting.

MINUTES

The minutes of a regular City Council meeting held November 22, 1982 were presented to the Council Members. Councilman Don Bird MOVED to approve the minutes as presented. Council Member Willis Morrison SECONDED the motion which carried unanimously.

ACCOUNTS PAYABLE

City Recorder Dorothy Jeffery presented the list of accounts to the Council Members. Councilman Willis Morrison MOVED and Council Member Max Bennett SECONDED a motion to pay the current bills. The motion carried unanimously.

PENDRAY DEVELOPMENT: INDUSTRIAL REVENUE BONDS REQUEST

Mr. Jim Pendray explained the current Pendray Development project which includes a bowling alley, lounge, video game room, twin theatres, office rental space and retail rental space. Pendray's bond attorney, Mr. Larry Moore, explained that the IRB is part of the original package presented to the Council in December 1980, which could total \$10 million. City Attorney Warren Peterson stated that the form of the resolution was correct and ready for adoption. In answer to a question, Attorney Peterson stated that the approval of this bond would not jeopardize the City's ability to bond in the future.

Councilman Willis Morrison MOVED to adopt Resolution #82-81 entitled:

A RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$1,400,000.00. PRINCIPAL AMOUNT OF INDUSTRIAL REVENUE BONDS (SERIES II) OF DELTA CITY, STATE OF UTAH, FOR THE PURPOSE OF FINANCING THE ACQUISITION AND/OR CONSTRUCTION OF A COMMERCIAL FACILITY WHICH SHALL BE USED BY PENDRAY DEVELOPMENT (THE "COMPANY"); AUTHORIZING THE EXECUTION OF A FINANCING AGREEMENT AND RELATED DOCUMENTS: PROVIDING FOR A NOTE OF THE COMPANY, A PLEDGE THEREOF, A GUARANTY OF CERTAIN PARTNERS OF THE COMPANY AND THEIR WIVES, AND OTHER TERMS FOR SECURITY OF SAID INDUSTRIAL REVENUE BONDS: PROVIDING FOR THE REMEDIES OF THE REGISTERED OWNERS AND/OR HOLDERS OF SAID INDUSTRIAL REVENUE BONDS AND FOR THE RIGHTS AND DUTIES OF A TRUSTEE UNDER A TRUST INDENTURE; AND OTHERWISE APPROVING SUCH ACTIONS AS MAY BE NECESSARY FOR ISSUANCE OF SAID BONDS.

Councilman Bennett SECONDED the motion and the Mayor called for a vote from the Council Members:

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Max Bennett	Aye
Don Bird	Aye
Don Dafoe	Aye
Ruth Hansen	Aye
Willis Morrison	Aye

The resolution was signed by the Mayor and his signature was attested by the City Recorder.

BUSINESS LICENSE PROPOSAL: DELTA AREA CHAMBER OF COMMERCE

Mr. Keith Taylor explained the work done by a Chamber task force in arriving at a formula for a business license fee schedule. He stated that he felt that the point system developed is a workable system, but is offered only as a suggestion to the City. There was general discussion on the following subjects:

1. Basing fees on the square footage of a place of business and on the number of employees.
2. Fears of business people concerning government intervention in matters considered private.
3. Business fees charged in other cities as compared to those charged in Delta.
4. Anticipated amounts which would be collected under the suggested fee schedule compared to those collected under the present fee schedule.
5. The possibility of working out a reciprocal agreement within Millard County among the various towns.

It was decided that the Council would hold a work meeting on Wednesday, December 12, at 3:00 p.m. to study the proposal.

FUTURE LAND USE PLAN: STEVE YOUNG

Mr. Steve Young, planning consultant, discussed with the Council Members changes in the Future Land Use Map as suggested by the Council the previous week. Councilman Willis Morrison MOVED to table the issue for further study. Councilman Max Bennett SECONDED the motion, which carried unanimously.

ZONE CHANGE REQUEST: MITCH MYERS

Mr. Mitch Myers expressed some of his concerns about zoning in the City, particularly with the Central Business district. Mr. Myers stated a desire to have the Central Business zone extended on the east side of town. Mr. Myers requested a zone change on some of his property from Mobile Home to Highway Commercial and on another parcel from R-4 to Mobile Home. After discussion, Councilman Morrison MOVED to schedule a public hearing for December 27, at 6:30 p.m. to receive comment on the requested zone change from R-4 to Mobile Home and from Mobile Home to Highway Commercial on Property in the White Sage Development area, owned by Mr. Myers. The motion was SECONDED by Councilman Bennett and carried

unanimously.

ORDINANCE: TO ESTABLISH HOSPITAL ZONE AND TO DESIGNATE 250 WEST, 100 SOUTH AS A HOSPITAL ZONE

After a short discussion on the proposed ordinance, City Administrator Vance Bishop recommended that the ordinance be adopted. Councilman Willis Morrison MOVED to adopt Ordinance #82-50 entitled:

AN ORDINANCE AMENDING THE REVISED ORDINANCES OF CERTAIN SECTIONS, BY ESTABLISHING A TRAFFIC REGULATION ZONE TO BE KNOWN AS A "HOSPITAL ZONE", DESIGNATING A PORTION OF 250 WEST STREET AS A HOSPITAL ZONE AND PROVIDING PUNISHMENT FOR VIOLATION OF HOSPITAL ZONE REGULATIONS.

The motion was SECONDED by Councilman Dafoe and the vote was as follows:

Max Bennett	Aye
Don Bird	Aye
Don Dafoe	Aye
Ruth Hansen	Aye
Willis Morrison	Aye

The Mayor signed the ordinance and the City Recorder attested his signature.

PROPOSED ORDINANCE VACATING A STREET AT 250 WEST FROM 200 NORTH TO 300 NORTH

Mr. Vance Bishop, City Administrator, explained to those present that the road in question has not been in use as a road for many years, but has been used as a park. He reported that the adjacent property owners are LDS Church Corporations and that easements will be retained by the City, according to the proposed ordinance. Councilman Bennett MOVED to adopt Ordinance #82-49 entitled:

AN ORDINANCE PROVIDING FOR VACATION OF THAT PORTION OF 250 WEST STREET LYING WITHIN BLOCK 80, DELTA TOWNSITE PLAT "A"; ALSO DESCRIBED AS BEING THAT PORTION OF 250 WEST STREET LYING BETWEEN SECOND NORTH STREET AND THIRD NORTH STREET IN THE CITY OF DELTA, UTAH.

Councilman Don Bird SECONDED the motion and the vote follows:

Max Bennett	Aye
Don Bird	Aye
Don Dafoe	Aye
Ruth Hansen	Aye
Willis Morrison	Aye

The Mayor signed the ordinance and the City Recorder attested his

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signature.

Mr. Glen Swalberg indicated a willingness on the part of the Church to work with the City to eliminate low places where water pools at the site where a new church is to be built.

SERVICE LINE REIMBURSEMENT AGREEMENT: ELMER WEEDA

Mr. Vance Bishop explained that any lien lines which have gone in prior to the ordinance would have to be approved by the Council. He stated that neither he nor the staff had any problems with the proposed agreement. After discussion, Councilman Bird MOVED to authorize the Mayor to sign the lien line reimbursement agreements on water and sewer lines installed by Elmer Weeda. Councilman Bennett SECONDED the motion, which carried unanimously.

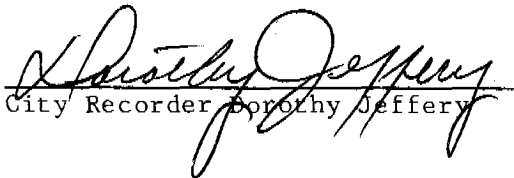
OTHER BUSINESS

The following are items discussed, but on which no formal action was taken:

1. Northeast Annexation, Delta Estates park dedication.
2. A request from the drivers license division for an additional day in the City offices.
3. Concerns expressed by the County as to financial participation in the construction of the proposed City, County office building.
4. Scott Chesley claim against the City for flood damages.
5. A grader purchased by the City for \$9,000.00.
6. The public library meeting to be held December 8, at 7:00 p.m.
7. The Members were reminded of the Delta City employees Christmas party to be held December 18.

Councilman Don Bird MOVED and Councilman Max Bennett SECONDED to adjourn the meeting. Mayor Nielson adjourned the meeting at 10:40 p.m.

  
\_\_\_\_\_  
Mayor Grant S Nielson

  
\_\_\_\_\_  
City Recorder Dorothy Jeffery